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ABSTRACT

Because modern terrorism threatens democratic values such as personal liberty, free expression, and the limitation of institutional authority, it raises ethical problems for journalists who are drawn into a symbiotic relationship with those who threaten or use violence against a community. Recent terrorist incidents in the United States involving the Hanafi Muslims in Washington, D.C., Anthony Kiritsis in Indianapolis, and Corey Moore in Cleveland have caused a public reconsideration of the role and purpose of journalism in issues that threaten a free society. The responses from the news industry on this issue are libertarian in nature, upholding classical concepts such as free market of ideas, individualism, the self-righting nature of truth, and antigovernmental sentiment. Such a notion of objective journalism exempts the journalists from any moral or ethical response to the issue of terrorism. This lack of concern with values promotes a moral neutrality that evades the issue and determines the journalists' coverage of terrorism according to the economic and organizational imperative of the new media. (Author/MAI)

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# JOURNALISTS AND TERRORISM:

# CAPTIVES OF THE LIBERTARIAN TRADITION

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TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC) AND USERS OF THE ERIC SYSTEM."

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George Martz, a Marion County, Indiana, deputy prosecutor, went on television on Thursday, February 10, 1977, to broadcast an offer to kidnapper Anthony Kiritsis. He could guarantee complete immunity from state prosecution, Martz said, if Kiritsis would release his hostage, Indianapolis mortgage company executive Richard Hall. Martz added that he understood that immunity from federal prosecution was "in the making."

Martz's offer was watched with interest, particularly in Indianapolis newsrooms. A reporter at the Associated Press bureau called the U.S. Attorney for Southern Indiana, seeking confirmation of Martz's hint that a federal immunity might be available. The federal attorney said, for the record, that immunity was not forthcoming: the "Justice Department won't bargain with gunmen." Another reporter in the AP's Washington bureau obtained the same response from officials at the Justice Department. If Martz's statement on the federal immunity was not true, AP staffers reasoned, could it be--as many suspected--that the promise not to prosecute Kiritsis under state laws was not genuine as well?

"Now we had a severe conscience qualm," said Darrell Christian, an AP newsman. "What if we ran the story (that the immunity offer might be a ruse), Kiritsis hears it on TV and blows Hall's head off?"[1]

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Richard Hall had been a hostage for some sixty hours when newsmen quietly were informed that he might be released shortly. Kiritsis wanted to make a statement, they were told, so cameras were readied in a lounge of the apartment block where the seige was taking place. Kiritsis appeared, but instead of a post-surrender news conference, at 10:27 p.m. Indianapolis viewers of "The Streets of San Francisco" (ABC), "The People's Choice Awards" (CBS) or "Seventh Avenue" (NBC) were startled to see on their television screens the image of an agitated Anthony Kiritsis--not alone, but with Hall still wired to the end of his sawed-off

shotgun. Kiritsis launched an extended harangue, littered with obscenities, in his moment before the cameras: "I'm the one they call a kidnapper. I'm a goddamn national hero and don't you forget it. . . I hope this gun doesn't go off--I'm having too much fun. . ." --a performance that one newsman later referred to as "over a half hour of live, obscene horror."

As the melodrama unfolded, questions grew in the minds of television news executives. How long should the broadcast continue? Who is controlling this broadcast: Tony Kiritsis or the news staffs of the stations? And what if he pulls the trigger--and splashes blood across every living room in central Indiana?[2]

VIOLENCE, TERROR AND ETHICAL DILEMMAS

Evidence from recent events make it a truism to say that terrorism, hostage-taking and other violent incidents raise confounding ethical dilemmas for the news media. Those who use violence, or threats of violence, to attain their objectives have recognized that the surest guarantee of saturation news coverage lies in a shocking appeal to traditional news values, making full use of the news industry's attraction to the dramatic, conflict-laden, and tragic or potentially tragic event. News judgments regarding the coverage of terrorism are made swiftly if not hastily, often with less than the full cooperation of police authorities, usually under the pressure of commercial competition--and to outsiders at least, with apparent lack of concern for the consequences of these decisions. After the fact, and in rebuttal to criticisms of the news media's morality (or lack thereof), these judgments are justified with familiar references to hoary propositions regarding the essential role of an independent press in a free society, the public's right to know, and the Founding Fathers' wisdom in recognizing the self-righting nature of Truth.

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broadcast journalists because of the recent development of electronic news-gathering equipment. This equipment gives network and local station news teams the capability of producing nearly instantaneous broadcasts of live events occurring outside the studio--but introduces a speculative element as well, for instantaneous broadcasting largely eliminates the journalistic editing function. So in addition to opening new reporting possibilities, the electronic equipment has raised important questions of an ethical nature: What are the risks of live reporting and when are they justified? Which news events are not appropriate for live coverage? How significant must a news story be to warrant interruption of a regularly scheduled program?[3]

The significance of these questions was brought home to Chicago broadcasters in March 1977 when Hanafi Muslim gunmen occupied three buildings in Washington, D.C., killed a student reporter and took more than 130 hostages. The story's unfolding was watched anxiously a thousand miles away in the Chicago office of CBS News. How could the story be covered at that distance, relating it to viewers in the highly competitive Chicago television market? A telephone caller to CBS News identified himself as an Hanafi Muslim and provided the address of the sect's Chicago temple. Though the major 6 p.m. newscast was only minutes away, a reporter and electronic camera crew were dispatched. They found at the address a rundown house guarded by three "menacing" men who allowed only the reporter--with camera--to enter. Inside, the reporter was confronted by a young man who said that he had a statement to make. Who was this man? Did he really have a connection with the Hanafis? Was it worth the risk to put his statement, whatever it might contain, on the 6 o'clock news?

Despite the fact that "no one knew who he was, no one knew what he would say..." CBS News put the self-professed Hanafi on the air. "The young man

who could have been Santa Claus for all the reporter knew, at two minutes after 6, was addressing nearly two million people," recalled Robert Faw, a CBS News reporter.[4] As it turned out, he had much to say, but it did not pertain to the siege in Washington.

However, it can be said that CBS News responded as journalism's libertarian traditions suggest that it must: it reported the news (or what was perceived to be the news) without fear of its consequences. News organizations facing the ethical dilemmas of the Kiritsis melodrama did the same. The Associated Press elected to move the story questioning the availability of immunity from prosecution for Anthony Kiritsis. However, before the story was broadcast or published, Kiritsis had released his hostage, and learned for himself that the promise of immunity was not genuine.[5] And Kiritsis did not, of course, murder Richard Hall on prime-time television--to the everlasting relief of news executives of the two Indianapolis television stations that broadcast live the entire event. But their decisions are being debated still within the news industry. A third station, WTHR-TV, pulled out after ten minutes of Kiritsis's diatribe; in the words of its news anchorman, Paul Udell, "Enough is enough." Mike Ahern, anchorman of a station (WISH-TV) that stayed with the so-called news conference, argues that viewers had been following the story for three days and the station could not "leave the audience hanging at the moment of truth."[6]

The terrorist phenomenon is, in a large sense, a particular burden of an open, democratic community; as a commentator on terrorism noted, terrorist appeals can be successful only against ineffective totalitarian regimes or in liberal societies that value free expression, vigorous and independent vehicles of communication, and a responsive, informed public.[7] However, the open society also will attempt to protect itself, and the recent wave of

violent incidents has stimulated public criticism of the news media's symbiotic relationships with terrorists and others who violate its standards. This public inquiry into journalism's moral condition has inspired a reconsideration of some of the industry's traditions and shibboleths. A series of discussions at professional meetings on "terrorism and the media" and many articles on the subject in popular magazines and trade publications have concentrated upon media responsibilities and the possibility of applying voluntary restraints.

Largely absent from this discussion, however, has been a consideration of the basis of journalism's traditional moral posture. At its root, the issue of terrorism coverage goes beyond questions regarding the propriety of publishing specific pieces of information or a particular news story, and focuses instead upon the philosophical rationale for these decisions. If terrorism and public violence constitute attacks upon the liberal community and its values, with whom are journalists and their news organizations allied? Can the news media assume adversarial roles in relation to public authority when the social order, its tenets and values are endangered? How can the public's right to know be fulfilled when the publication of specific material could cause direct harm to members of the public or support its enemies? These questions, concerned as they are with definitions of journalism's role and purpose, require ethical answers. But what the news media's response to terrorism demonstrates instead is the moral poverty of journalism's libertarian tradition.

THE INDICTMENT OF THE NEWS MEDIA

"American TV has become patsy, promoter and paymaster for political terrorists--their preferred vehicle of communication," wrote Patrick Buchanan in TV Guide (March 26, 1977, p. A5) following the Hanafi incident. Most critics, both outside and within the news industry, have been more temperate. They share, however, Buchanan's concern for the ease with which terrorists--and impulsive individuals--obtain publicity and a national or international platform through the news media's newsgathering efforts. Public authorities in particular question the legitimacy of reporting volatile situations instantaneously. Others object to the newsgathering practices that make newsmen active participants in these situations and the competitive instincts of news organizations which, they argue, over-emphasize the sensational aspects of terrorist incidents and make living-room entertainment of public violence.

Penetrating questions regarding journalism's relationships with terrorists and the community underlie this indictment of media behavior. But the weight of this criticism should not be overstated. Terrorist incidents in the United States have not been as focused politically as those in Europe, nor have their outcomes been as frightening.[8] No innocent victims, hostage-takers or terrorists are known to have died as a direct result of actions by the American journalists. The public itself appears divided with regard to the question of the appropriate coverage of terrorism; while sixty-four percent of the persons surveyed by the Gallup organization weeks after the Hanafi incident said that they believed detailed news coverage of terrorism encourages others to commit similar crimes, they were evenly split between those who thought that the news media over-emphasized terrorism coverage and those who thought this coverage was necessary to keep the public fully informed.[9] For these and other

reasons, the prescriptive statements accompanying media criticism have been limited in scope and concerned more with media morality than legal solutions, such as restrictions of the press's First Amendment privilege.[10] For example, the federal Task Force on Disorders and Terrorism--composed mainly of police and government officials--concluded that a positive approach toward the news media might be the most productive in the long term:

> "A free and responsible news media is a most effective educative device and an indispensable bulwark against oppression. These potentials for good should be positively recognized by the civil authority; it should modify its policies sensibly and adapt its institutions and procedures to working with the media in the public interest." (Standard 4.10, p. 65)

However, police officials and their specialist advisers question whether journalists are concerned with the public interest. To some, journalists are accomplices of terrorists: "Terrorism is precisely the kind of thing the media crave. The mass media and terrorism are made for each other--if they didn't exist independently, they would have to invent each other," in the words of Frederick J. Hacker, a Beverly Hills psychiatrist, 'crisis counselor' and author of the recent book, Crusaders, Criminals, Crazies: Terror and Terrorism in Our Times.[11] This relationship is based not upon a similarity in objectives, but upon the terrorists' realization that their actions produce 'good' news stories: "The media act as a selective magnifying glass: terrorism always exerts a strange fascination, especially from a safe distance. It has all the ingredients of a good story--mystery, quick action, tension, drama. It seems natural, therefore, that the media should give terrorism inordinate publicity."[12]

Critics of reporters' symbiotic relationship with terrorists suggest that journalists should apply better judgment in evaluating both the way they are manipulated by terrorists and hostage-takers and the long-term significance

of terrorism itself. Historian Walter Laqueur, for example, argues that when viewed from an historical perspective, political terrorism actually is declining around the world, but it has become a conventional wisdom that "terrorism is one of the crucial problems facing mankind."[13] Saturation news treatment and editorial misjudgments inflate the significance of the issue in the public mind: "Terrorists and newspapermen share the naive assumption that those whose names make the headlines have power, that getting one's name on the front page is a major political achievement. This assumption typifies the prevaling muddled thinking on the subject of terrorism."[14] Some newspapermen agree that more discerning editorial judgments are needed; as Stephen Rosenfeld, an editorial writer for the Washington Post, wrote: "So if the purpose of terror is to send a message, we messengers should consider not sending it. Instead of mindless collaboration with terrorists, we should become mindful of the critical relationship of our purpose and theirs."[15]

Further, police officials claim that the stampede of the journalistic herd to interview terrorists reinforces the terrorists' sense of power and accomplishment.[16] During the Washington siege, the Hanafi leader, Hamaas Abdul Khaalis, reportedly told his hostages that "Everybody in the world is trying to talk to me," as newsmen telephoned from England, France, African countries, and Australia, as well as many American cities.[17] Fifteen calls came from newspapers and radio and television stations in Australia alone during the first night of the siege.[18] Later Khaalis became more discriminating: "...he picked very carefully the newsmen and the news media he spoke to. For example, he turned down one request for a live radio interview after he found out that the station, somewhere in Texas, only had 20,000 watts. 'You are not worth talking to,' Khaalis told the reporter. "I don't talk to radio with less than 50,000 watts.'"[19]

Implicit in many criticisms of media performance is the suggestion that terrorism and violence are contagious: that one highly publicized incident will generate others. While no reliable data exist that confirm or deny the contagion hypothesis, some journalists concede that the idea seems plausible: "When one hostage taker gets his picture on the evening news, we can just about predict the epidemic that follows. Some other sick soul grabs his hand gun and takes a hostage, too," said media critic Ed Diamond of station WTOP, Washington, D.C.[20] Communications researcher George Gerbner asserts that the contagion factor has been misunderstood: "The most pervasive effect of broadcast violence is not the imitation of violence, but the spreading of intimidation, of the fear of victimization. Terror can only succeed if the act is conveyed to the audience whose behavior the terrorists are seeking to influence."[21] The news media, by conveying this message of fear, become accomplices of the terrorists, and directly responsible for the outcome of the terrorist incident.

Dr. David Hubbard, a psychiatrist with the Aberrant Behavior Center in Dallas and a regular consultant to police authorities during hi-jackings and terrorist incidents, believes that the lack of convincing evidence regarding the contagion factor does not absolve newsmen. He told a convention of broadcast news executives last year that their industry has not learned to evaluate itself and the "emotional power of its transmitters." While Americans live under the twin threats of "nuclear destruction and electronic nihilism," Hubbard said, the nuclear power industry is much more aware of its destructive capability and consequently has built in more safeguards to protect the public. "I suggest newsmen have a serious conflict of interest which blinds the industry as to its destructive impacts in moments of crisis coverage," Hubbard said.[22]

This 'conflict of interest' described by Hubbard belies one of American journalism's most cherished traditions: that of the reporter's

objectivity. Rather than being a detached, disinterested observer, the journalist can represent particular interests in the events he reports. The reporter covering terrorist activity must decide whether his actions will be guided by the interests of the hostages, public authorities and the community at large, or the newsgathering and financial interests of his station or newspaper; these interests, Hubbard noted, rarely coincide.[23] His suggestion that the financial imperatives of news organizations dominate and are served by turning terrorist incidents into 'media events' is a familiar theme. Charles Fenyvasi, a journalist who was taken hostage by the Hanafis, reported that his fellow hostages grew to consider the news media as "our enemy": "As hostages, many of us felt that the Hanafi takeover was a happening, a guerrilla theater, a high impact propaganda exercise programmed for the TV screen, and secondarily for the front pages of newspapers around the world. . . Some say that the media was (sic) the enemy because it sensationalized our ordeal, reproducing in color the blue of our bruises, the red of our blood, playing up all that was absurd, displaying our fright and our tears."[24]

The compelling fascination of ongoing violence and the competitive nature of the news industry lead frequently to journalistic overkill. In May 1977 a gunman attempted to rob a suburban Youngstown, Ohio bank and under police pursuit, fled into an apartment development where he took a woman and two children as hostages. In the next twenty-six hours, news teams from three local television stations, a dozen radio stations, at least twelve newspapers in northeastern Ohio and western Pennsylvania, television stations in Cleveland, and all three commercial television networks converged on the scene and transformed a smalltime gunman into a full-fledged terrorist. The news director of one television station reported that his staff of two photographers, three reporters and two anchormen supplied viewers with regular bulletins, a special eighteen-minute report following the capture of the gunman, "exclusive" interviews with the gunman's father and sister, and films of the gunman himself.

"We camped, virtually on the terrorist's doorstep, throughout each tension-filled moment of the unfolding drama. And we covered the story from every conceivable angle without endangering the lives of those involved. . . We supplied our viewing audience with a steady stream of information concerning developments and bulletined the escape of the hostages and the capture of the terrorist well ahead of our competitors including all local radio stations," he reported.[25]

Calmer heads at the Columbia Journalism Review observed that terrorism coverage exposes a need for a re-education in news values among the nation's journalists. While conceding that incidents such as the Hanafi assault demand comprehensive coverage, the CJR questioned the smothering coverage devoted to the Kiritsis incident and the Corey Moore case in suburban Cleveland, Ohio:

> "By what standards--other than fear of losing out to the competition and the inherent excitement of live pictures of, say, a man in imminent danger of having his head blown off--do such events qualify as significant in terms of the values supposedly cherished by serious journalists?"[26]

Another criticism of terrorist coverage is that the simple act of reporting ongoing activity often enlists reporters as actors in the terrorists' drama. This was demonstrated in the Indianapolis case, in which Anthony Kiritsis's first demand was for immunity from prosecution from all charges growing out of the incident. Recognizing the impossibility of meeting this demand, law enforcement officials elected to negotiate his other demands first, saving the (false) promise of immunity for use during a crisis period. This crisis was reached sometime after 5 p.m. on Wednesday, Feb. 9, when radio station WIBC broadcast this report:

> Studio announcer: "Touching base at Crestwood, scene of the action of the hostage held: any possible change, Doug?"
> Reporter (Douglas O'Brien): "Very much apparently, Lou. In the last 25 or 30 minutes, the situation has deteriorated some, due to what

exactly we don't know. Although there has been a good deal of yelling and screaming going on over the telephone and through the door from Tony Kiritsis's third-floor apartment...Then he and the hostage, Richard Hall, began to argue and that is not a healthy situation."

Announcer: "That's a first, isn't it? Hall had been quoted earlier as saying...that he was getting food, water and was reasonably well-treated."

Reporter: "Ah...right. Now this argument has started; we don't know what the result here will be. The Army bomb squad that's here has begun to try and think of ways to somehow get in without setting off the explosives. We're told... (indistinct)...that they may be able to...if Kiritsis could be incapacitated somehow, they could get in and defuse the explosives that are in the room, if they are in fact there, and they do believe they are. (Announcer: "Okay.") "They could get in without setting them off, if Kiritsis were incapacitated."

Announcer: "Okay, but it hasn't really come to that and we'll anxiously await the next report from the scene..."[27]

Kiritsis, who had his radio tuned to WIBC, interpreted this as meaning that the bomb squad was rushing his apartment.[28] Witnesses reported that he became extremely agitated, ordered his brother and a friend to leave a nearby apartment, and angrily threatened to blow up Hall and himself. Officials in the nearby command bus decided that if the (false) immunity promise was going to be made, this was the time to do it.[29]

Incidents such as this, in which a straight news report influences directly both the hostage-taker and the authorities' strategy in dealing with him, are responsible for the sentiment among police officials that reporting of continuing violent incidents should be limited. Authorities argue that journalists intrude upon these situations by: i) providing basic intelligence and tactical information for terrorists in their news reports, ii) creating traffic problems at the scene, iii) tying up telephone lines with terrorists when authorities are attempting to contact or negotiate with them, iv) diluting police authority by talking directly with the terrorists and reinforcing their sense of power, v) displacing the authorities from their rightful role as negotiators, vi) nagging the police for information when they are occupied with saving the hostages, and vii) either casting

doubt on the veracity of the police or raising anxiety levels of the terrorists by broadcasting or printing inaccurate or premature reports during the incident.[30]

Many police officials believe that competition between newsmen, inspired by their respective news organizations, lies at the root of media intrusions. Capt. Frank Bolz, who heads the New York City police hostage team--and in this capacity, has dealt with more than 80 hostage cases in the past five years--describes it this way: "One of the big problems we have with the media is the 'scoop.' If one guy happens to make a phone call to a perpetrator and gets an interview, all the others feel, 'we've been scooped by station WWWW! We'd better get in there.' And that's the wrong attitude. We would much prefer if the media could just sit back and say, 'Wait a minute, this is exactly what this guy wants. Are we part of the theater involved in this?' Is the media going to be part of the problem or is it going to be reporting what is taking place?"[31]

The common thread in these criticisms is a questioning of journalism's role and purpose. Simply stated, whose side are the news media on? Whom do reporters and editors represent, the interests--financial or otherwise---of their news organizations, or those of the whole community? Is the public's right to know, as promoted by news personnel, superior to other liberties: the right to life of the hostages and police, the right of privacy of the hostages and their families, the terrorists' right to a fair trial, or the right of the community to take what means are necessary to preserve itself?

Police and other public officials have a uniformly clear perception of their own role in quelling a terrorist disturbance: to rescue the hostages, protect the general public, prevent the death or injury of police

officers, and save the lives of the terrorists, if possible.[32] These objectives should be accomplished in a restrained, disciplined manner. Together, they represent an ethic predicated upon the preservation of the community; anyone who interferes or otherwise contributes to the terrorists' cause is perceived to be violating this ethic. In this context, journalistic zeal, the differences between reporters' purposes and those of the police, and the fragmented nature of the news industry (would it be possible for police authorities to quell any disturbance if the city police, sheriff's department, state police, National Guard and FBI were competing to see which agency could accomplish it first?) lead the police to question the motives of the news media. Robert Rabe, deputy police chief of Washington, D.C., says that he cannot trust journalists because they, unlike the police, do not follow any guidelines that he can understand; their competitive sense prohibits responsibility.[33]

Rabe says, therefore, that he would detain any journalist who was responsible for the death of a hostage or police officer. Capt. Bolz of the New York police hostage team, however, promotes a more restrained approach to the press. Members of his team are trained to recognize the importance of keeping newsmen informed: "...we can't prevent press misbehavior...we can only educate the media and hope they will acknowledge that when they do something like that, they are risking the lives of the police and the hostages." Ultimately, the press and police will settle their differences as they learn more about the terrorist threat: "Basically, we both have the same job--to serve the public. You're there to inform the public and we're there to protect the public. I think we're working side by side."[34]

This statement of cooperative spirit closely parallels the approach of the federal Task Force on Disorders and Terrorism. Because an "adversary relationship between the civil authority and the media can benefit none but the terrorist," the press and police must cooperate when the community is threatened by terrorist activity. Only through a frank and honest exchange of views and information can the media maintain confidence in the authorities and the media retain their credibility with the public. Two principles should govern all police contacts with the press, according to the task force. First, the police should be as candid and complete in communicating information to the news media as law enforcement considerations will allow. Second, the police should attempt to acquaint journalists with the risks that might be associated with some forms of reporting.[36]

The federal task force also made a number of specific recommendations--many of which were adopted and promoted by others criticizing the news media's performance in the coverage of terrorism--for improving police/press relations in emergency situations.[37] Police agencies, for example, should develop procedures to increase media access to accurate information during emergencies. "Media information centers" to regulate news flow should be created, and rules prepared that would govern media access to the scene of violent incidents. Authorities also should organize regular forums for the exchange of police and news media views on news coverage, police affairs and related issues, and these forums might consider the feasibility of developing ground rules for the coverage of violence and terrorism. Also, authorities should encourage attempts by the news media to develop self-regulating standards that would govern their reporting of terrorism.

Though the task force was careful to avoid the appearance of specifying how the news industry should operate in terrorist situations, it also suggested that an "appropriate approach to news coverage" is summarized by the principles of minimum intrusiveness and complete, noninflammatory coverage.[38] That is, news organizations should avoid creating any greater presence at the scene than is necessary to collect full, accurate and balanced information. And the news report that best serves the public omits no important details and attempts to place these details in a context.

News organizations wanting to implement these principles might, according to the task force consider these specific proposals:

*the use of "pool" reporters to cover activities at the scene on behalf of all news organizations and news agencies;

*self-imposed restrictions on lighting, use of cameras and other special newsgathering technologies;

*the limitation of attempts to solicit interviews with hostage-takers;

*reliance upon officially designed police spokesmen;

*avoidance of inquiries to obtain tactical information that would prejudice enforcement operations if disclosed;

*delayed reporting of details that might inflame or aggravate the situation;

*avoidance, to the extent possible, of coverage the emphasizes the sensational qualities of the incident, and

*balancing of news stories that incorporate self-serving statements by terrorists with contrasting information from official sources.

These recommendations were based, however, upon one assumption on the part of the federal task force: that the news media will be responsible and cooperative in their reporting of terrorism, even though it "may well be impossible for the profession to agree upon standards that might guide, if not

govern, its members in this difficult area of servicing the public," due to the "complexity and competing interests of that vast, diverse, and vitally important part of the private sector."[39]

Charles Fenyvasi, the Washington journalist who was a hostage of the Hanafis, possesses an occupational distaste for everything resembling governmental regulation. But he also believes that the news media must agree upon one principle: "that concern for life should be absolute and that the public's right to know need not be absolute." Fenyvasi proposes that a committee of editors in any city experiencing a terrorist incident should be empowered to declare and enforce a "news media emergency" under which certain rules of the profession would be suspended. "For instance, instead of aggressively gathering news and scooping competition, protecting or at least not endangering lives should be our top priority," Fenyvasi suggests. Anyone who violates this rule should be held accountable and be subject to disciplinary action by his employer.

> "In Tolkien's great epic fantasy, the war is over a magic ring that tenders its wearer invisible. In our century of science fiction, the news media is capable of providing total global visibility, and newsmen have a special responsibility in adjusting to the fact that we live in an age in which every man with a gun, and particularly a band of determined men with guns or explosives, can be a super power."[40]

THE MEDIA'S RESPONSE TO TERRORISM

The news media's defense is predicated upon a seemingly devout adherence to classical libertarian values.[41] The public's right to know is best served, news industry spokesmen argue, by the preservation of the American free-speech tradition. Individual journalists must remain unshackled so they might exercise their reason and fulfill the sacred trust implicit in the First Amendment. Moreover, their reporting informs the public of the terrorist threat and

contributes to the free play of ideas by airing the terrorists' grievances. Only when safeguarded by these protections will the democratic community act with reflection, wisdom and justice.

These libertarian principles, born in seventeenth century Europe and in the American colonial experience, also contain an unmistakable anti-government sentiment; liberty is equated with the absence of authoritarian regulation and interference. The modern news media, the argument goes, must avoid entangling alliances with civil authorities--such as by making prior agreements with police agencies--and remain the public's trusted watchdog, an omnipresent check upon the inevitable excesses of government.

These themes are both familiar and self-serving. They are flourished by industry spokesmen whenever the value of the press's First Amendment protection is measured against other fundamental liberties or in periods of sustained press criticism, such as that which followed the urban disorders of the 1960s. Anthony Lewis of the New York Times has noted that some journalists believe that press freedom is an absolute value and must always prevail when it is in conflict with other constitutional protections, such as those of privacy, good name, fair trial and respect for law. "That posture tends to confirm the widespread public impression that publishers and broadcasters and journalists generally are a self-concerned lot, free with attacks on others but highly sensitive to criticism themselves--in short, guilty of the same fault that they so often find in others: abuse of power."[42]

Some media spokesmen argue that the libertarian tradition has served both the country and American journalism well, and should not be abandoned in face of the terrorist irruption. What is needed, they argue, is a more

skillful and professional journalism. Others, however, respond that the libertarian tradition can be preserved only by the adoption of flexible guidelines and policy statements by the news industry that might prevent the worst excesses of terrorism coverage. What few have questioned is the contemporary utility of the libertarian tradition itself.

Free and unrestrained communication is more than an abstract virtue; it is the essence of the liberal community and to inhibit news coverage as a strategy in controlling terrorism endangers this tradition. When news organizations are restrained, even on a voluntary basis, "aren't we in effect surrendering freedom and allowing terrorists to win?" asks Ralph Otwell, editor of the Chicago Sun-Times. Restrictive measures applied in response to attacks on liberty can be turned upon politically acceptable forms of communication as well. Guidelines that determine "proper" forms of news coverage "...really can be applied and misapplied to genuine grievances that prompt protest marches, that prompt demonstrations, that lead to acts of civil disobedience as we observed in the '60s. It is only a tiny step from saying that we cannot cover this aspect of terrorism, to we cannot cover and should not cover that type of civil disobedience."[43]

Unrestrained communication during periods of violence is seen to have practical advantages as well. As the New York Times replied to Ambassador Andrew Young's suggestion that terrorism coverage may require that the First Amendment be "clarified," to deny terrorists the news coverage they desire might lead them in "more chilling directions."[44] The lesson from the urban disorders, the Times said, is that rumors of violence are often worse than the truth itself. Where newsmen honored police requests to withhold information about disturbances, local rumor-mills exaggerated them into

civil wars in the public mind.[45] Leonard Downie Jr., assistant managing editor of the Washington Post, believes that the saturation coverage given the Hanafi incident kept the city at ease. "I think that the saturation coverage allowed the city to relax, in a way, to know that information was coming to them, that they knew what was going on: they did not have to be panicky, they didn't have to depart from normal that much..."[46]

These virtues are linked closely with the concept of the 'free market of ideas' in the news media's defense. It is not journalism's job, newsmen argue, to prevent violence or determine the validity of grievances; journalists merely report information, meeting their obligation to the people's right to know, so the citizens may determine for themselves the truth or falsity of claims and counter-claims. And diversity of messages and competition between newsmen actually serves the public, not the terrorist.

Richard Salant, president of CBS News, concedes, for example, that broadcast coverage may encourage terrorists, but explains that in the news industry, "we are in the business of giving ideas. We present facts from which people draw their own conclusions on, whether it's politics or terrorists or anything else--people draw ideas from them. If we start playing God and say that fact or this viewpoint....might give people ideas, we would have to stop covering politics, covering practically anything but volcano eruptions and natural disasters....I'm not about to play the idea of God and decide which ideas are good and which ideas are bad."[47]

Salant's compatriots in the broadcasting industry enlarge upon this rationale. William Sheehan, then president of ABC News, argues that television's right to report terrorism is absolute, and it aims to provide viewers with complete information: "I don't think it's our job to decide what people should not know."[48] William Small, senior vice president of

CBS News, responds that "it's always better to report than not report."[49] And then suggesting that terrorism might be an access question, Small adds: "...people with a grievance have a right to get their story told. We shouldn't be suppressing speech any more than we should allow others to suppress our reporting."

Ultimately it is the credibility of the news media that is at stake. The free market will not function, and the public's right to know cannot be met if readers and viewers lose faith in their suppliers of news. Co-operative arrangements with police authorities to withhold news, or judgments made within news organizations to report only a partial story, could be injurious not only to the audience, but to the American system itself, according to Small:

> "The worst thing that could happen in this country--far worse than any act of terrorism--would be a loss of faith in the news reporting of television and newspapers. We're not educators, we're not sociologists. Our role remains that of reporter--to give people as much information as we can, as straight as possible and with as little hysteria as possible."[50]

Although the high costs of publishing and broadcasting, and increasing tendencies toward monopoly, group-ownership and cross-media control of communications outlets would seem to have restricted sharply the 'free market' of ideas, many journalists cling to the romantic notion that unrestrained competition and diversity of news outlets are what characterize the American communications system.[51] The need to preserve this pluralist tradition is used, accordingly, as a justification for opposing suggestions that the news media might adopt a more coordinated approach toward the coverage of terrorism. A.M. Rosenthal, executive editor of the New York Times, describes himself as "viscerally against" attempts to establish guidelines governing terrorism coverage: "I don't want guidelines from the government and I don't want any from professional organizations or anyone else. The

strength of the press is its diversity. As soon as you start imposing guidelines, they become peer-group pressures and then quasi-legal restrictions."[52] The vice president of the Radio Television News Directors Association concurs: "Competition provides most of the benefits of our system..."[53]

It is this perception, regardless of whether diversity and competition truly are hallmarks of the American news industry or merely romantic illusion, that makes journalists feel misunderstood--and especially by critics who suggest, for example, that three reporters representing a news 'pool' might cover an ongoing terrorist incident with more restraint than fifty journalists from competing news organizations. Richard Salant of CBS News points out that pooling arrangements are time-consuming to establish, raise questions about which news organizations will be invited or permitted into the pool, and imply that news editors will be inclined to delegate responsibility for sensitive coverage to reporters whom they do not know. Also, he questions whether terrorists would be placated by dealing with a single reporter representing many news organizations when they expected to receive the attentions of a battery of radio and television stations, newspapers and wire services.[54] Sun-Times Editor Otwell concludes that proposals for news pools, voluntary guidelines or controlled information channeled through police command posts all share "a single irrational and workable premise": that the media all will do the same thing--or not do the same thing--at the same time. "If it were possible to round up all journalists and march them in lockstep to the same orchestrated beat, we could end certainly a lot of abuses and excesses by the media. But it also would be the funeral dirge for the free press as we have known it..."[55]

Otwell's remark expresses the distrust of authority implicit in the libertarian tradition. Newsmen who routinely see themselves in an adversarial position find it difficult to cooperate with public authorities under

extraordinary circumstances. The seriousness with which some newsmen view this watchdog role was demonstrated by some replies MORE magazine obtained in a poll of television news directors regarding their attitudes toward terrorism coverage:

> "If the media doesn't play an adversary role, the police might take justice further than they should. When we're covering a hostage story, police violence is not our first concern at the height of it, but it is one of the other elements. When the police say, 'We don't want you guys around,' my first thought is, 'What are they going to be doing in there?'" (Lou Rothbart, KTLA-TV, Los Angeles)
>
> "I'm not awed by the police. Cops have made lots of wrong decisions. Judges and cops are no more qualified to make decisions as to what we should cover than any other other human being. We should reserve the right to make our own decisions." (Gene Strul, WCKT-TV, Miami)[56]

Journalists and news organizations that cooperate with public authorities sometimes encounter censure and criticism from colleagues in the journalism fraternity. During the Kiritsis siege broadcast outlets not only provided the hostage-taker with a half hour of airtime, but also broadcast a public apology from the hostage's mortgage firm and reported the immunity offer without challenge or interpretation. In the words of one local television news executive, "The media more than covered the story: they were part of it..."[57] To another, this spirit of cooperation amounted to an outright surrender: "The Indianapolis media surrendered its (sic) independence by basing news reports on a police request that we not report anything that would upset the kidnapper. We became part of a police effort to fool a kidnapper instead of being an independent by-stander there to inform the public."[58]

Near the center of the Kiritsis melodrama was another newsman, Fred Heckman. Heckman, news director of radio station WIBC and a familiar local radio personality, was telephoned by Anthony Kiritsis after he had taken Richard Hall hostage. Kiritsis complained about news reports on television and Heckman offered the opportunity to tell his side of the story. Their

conversation was taped and a substantial segment was broadcast. Thus began a series of telephone communications between the two, part of which were later broadcast on WIBC, and Heckman found himself becoming a mediator: "What this did was set up a trust that eventually was credited as a major part in saving not only Dick Hall's life but that of Kiritsis."[59] Heckman's critics say that he provided the kidnapper with platform and thereby contributed to the creation of Kiritsis's 'folk hero' image, making him sound like the innocent victim of a disreputable mortgage firm. Heckman concedes that there might be some truth to the charge, but says that under the circumstances, he had no choice: "I didn't like it. There was a twenty-year development of credibility and integrity in the Indianapolis market that I had on the line and quite obviously some of it was lost. Yes, it did make Kiritsis a folk hero..To a great extent I was probably the one responsible for that and I didn't like it, but (I) felt that there was no other way, no other course to take..."

One of Heckman's critics, Steven Yount (director of news and public affairs, WIRE-AM/WXTZ-FM, Indianapolis), claims that whatever the circumstances, journalists should not abandon their traditional role and become emotionally or compassionately attached to either police or hostage-takers: "Reporters are trained to serve as uninvolved observers. It's our responsibility in my opinion to gather and report the facts." Yount concedes that this might endanger the hostages or anger the police. "But it always serves the public and that's our job. Not to save lives...(or) grab a share of the glory or become part of the news that we're covering...but it's first, last and always to serve the public by reporting the truth."[60]

This idealistic commitment to objectivity and libertarian values looms over journalism's consideration of voluntary reporting guidelines. There is general agreement that such guidelines cannot

sanction news blackouts because news of terrorist incidents might be contagious. As the National News Council said in its statement on terrorism, blackouts would raise both doubts over what the news media have withheld and their motives for doing this, as well as questions about what other types of news which might have been withheld, ostensibly in the public interest. In addition, the council agreed that the e are "greater possible risks involved in wild and reckless rumors and exaggerated provocative word-of-mouth reports" than in reporting facts.[61]

Guidelines cannot be applied over the industry because of the competitive nature of journalism; the National News Council encouraged each news organization to consider restraints on its own. Equally, guidelines must be constructed by journalists and not public officials so they will not be too restrictive. "If you give a cop the opportunity to say yes or no, he'll always say no," is the way a CBS News executive described the response by the network's newsmen to the suggestion from CBS management personnel that police officials should be consulted in preparing guidelines.[62] There also is a general fear within the industry that even voluntary statements will somehow become mandatory, requiring conformity to some explicit standard. As Norval Morris, dean of the University of Chicago Law School, describes this fear: "...the problem is that guidelines, regulations, immediately stimulate the very appropriate press response, 'You're threatening a very great value in this country.' And words like regulation and guidelines start sounding like government control."[63]

Nonetheless, some major American newsgathering organizations recently adopted guidelines in response to the terrorist threat: CBS News, NBC News, United Press International, the Associated Press, the Louisville Courier-Journal

and Times, and the Chicago Sun-Times and Daily News, among others. The CBS guidelines, incorporated in April 1977 into the CBS News Standards, stated that the network's news staff will continue to apply "the normal tests of news judgment" to terrorism cases, and if the stories are considered newsworthy, they will be covered in spite of the dangers of contagion.[64] Their reporting, however, requires "thoughtful, conscientious care and restraint. Obviously, the story should not be sensationalized beyond the actual fact of its being sensational."

The CBS News guidelines seem to have served as models for those produced by other news organizations; they are remarkably similar and together share a number of characteristics. First, they suggest that reporters representing each news organization will make efforts to avoid becoming participants in terrorist situations: "We will make every effort not to become participants in the event. We will resist being used by the terrorists to provide a platform for their progaganda" (Louisville Courier-Journal) and "We will not become part of the story" (United Press International). However, none of the guidelines is specific on this point; not one, for example, states that reporters will not interview terrorists during ongoing incidents, or will not telephone them, or that reported material will be restricted to that released by the police. Nor do the guidelines address the point made by the news media's critics: that the mere act of reporting an ongoing incident draws reporters into the drama and makes participants of them.

Most guidelines attempt to provide senior news executives with greater control over their organizations' coverage: "The senior supervisory editor should determine what--if any--information should be withheld or deferred after consultation with reporters and appropriate authorities' (Chicago Sun-Times and Daily News) and "We will assign experienced staff members to the story. We will involve the papers' top news officials when making decisions" Courier-

Journal and Times). This detail is of some sociological significance, for it indicates that in spite of frequent references by news industry executives to the professional integrity and independence of their news employees, within their own organizations there is recognition of the need to centralize authority for these decisions in senior management personnel. This was illustrated by the actions of the Associated Press in releasing the story on the false immunity offer to Anthony Kiritsis. The decision to move the story was made not in Indianapolis by reporters and editors close to the situation, but seven hundred miles away by the AP's managing editor in New York City. This was "because no one here (in Indianapolis) wanted to take the responsibility involving two lives."[65]

The guidelines all propose that traditional journalistic practices should be applied in reporting terrorism: stories should be accurate, reported fully, avoid sensationalism, maintain a sense of balance. As the UPI guidelines summarize the agency's approach: "In all cases we will apply the rule of common sense." What is unexplained is why these reminders of the basic approach of good journalism are needed at all; as one commentator remarked: "All of which perhaps leaves the profession with an embarrassing question: Shouldn't journalists ask themselves how those basics sometimes get shoved aside, ignored or forgotten when they're most necessary?"[66]

The guidelines also suggest a reluctance on the part of news organizations to consider forthrightly moral questions surrounding journalism's role and purpose in the community, and its relations with those who violate the community's laws and those who uphold them. Instead, the guidelines suggest that a pragmatic approach is appropriate because no two terrorist situations are the same: "There can be no clearly defined policy for terrorist and kidnapping stories. The circumstances vary in each case" (UPI).

The implication is that instead of broad ethical statements of purpose, 'situation ethics' apply. A CBS News executive described his network's guidelines as sensible, flexible and subject to amendment: "So we can, as we have, change our guidelines as we go along."[67]

While these guidelines seem to represent sincere attempts on the part of the news organizations to do something rarely attempted in the news industry--to make reporting conventions explicit and concrete--these standards offer little moral assistance to journalists reporting an issue that is replete with moral dilemmas. The pragmatic approach bears a fatalistic element as well, based upon the assumption that journalistic practice cannot be changed without damaging the virtue of journalism itself. As one industry leader said after rejecting critics' proposals to improve journalism's handling of the terrorism story: "...the causes of these incidents will not be found in radio and TV news and neither will the solutions. All we can hope to do is not make them any worse than they have to be."[68]

## TERRORISM AND THE ECLIPSE OF LIBERTARIANISM

The extraordinary occurrence of a terrorist incident may not provide the optimal environment for the study of journalistic ethics, some might say. It is true that the event's unexpected but directed nature, its bizarre twists and embellishments, its undisguised plays for publicity--not by terrorists, but also by police officials, politicians, psychiatrists and journalists themselves--all tend to exaggerate both the prominence of the event and the behavior of its actors, but leave its significance shrouded in ambiguity. Perhaps journalistic ethics might better be studied in more ordered environments, examining routine reporting and editing practices and the moral decision-making involved in producing more conventional news stories.

But the example of terrorism is instructive as well, for it demonstrates the lack of congruence between the libertarian tradition, which evolved long before the technological and institutional development of the mass media, and contemporary pressures upon the press. The theme being advanced here is that libertarianism in large part lacks a moral code or philosophy: as it has become linked with an objective ideal in journalism, it tolerates a lack of concern with values and moral judgments and promotes instead a moral neutrality. For the journalists thrust by the exigencies of a terrorist event into the position of having to make moral decisions involving life and death, moral neutrality provides an insufficient basis for making these decisions.

This is not to say that journalists are immoral or unethical or nihilistic as an occupational condition; there seems to be little reason to suspect that reporters and editors are less concerned with the morality of their actions than lawyers, doctors, teachers, government officials or any other occupational group. But libertarianism and objectivity discourage moral consideration of journalism's basic interests and identifications and in this vacuum, other pressures of an economic and organizational nature often prove more persuasive in determining the style of journalism that results.[69]

The news media's individualistic spirit and fundamental antagonism toward authority are the romantic legacies of another day--the scientific revolution of the seventeenth century. Later, in a period of rapid industrialization in the nineteenth century, this tradition was mated with a "fetish for objective reporting." James W. Carey has pointed out that this drive for objectivity carried a purely commercial motive: the mass newspaper had to serve politically heterogeneous audiences without alienating any significant segments of the audience. Objectivity grew into a canon of professional competence and developed

an ideology of professional responsibility, resting upon the "dubious assumption that the highest standard of professional performance occurred when the reporter presented the reader with all sides of an issue (though there were usually only two), presented all the 'facts,' and allowed the reader to decide what these facts meant."[70]

Since the late 1940s, it has been argued that the specific conditions that spawned the libertarian tradition and objectivity in journalism have changed, and journalism must remodel itself accordingly. Carey, for example, regards the concept of objective reporting as outmoded:

> "What are lamely called the conventions of objective reporting were developed to report another century and another society. They were designed to report a secure world of politics, culture, social relations, and international alignments about which there was a rather broad consensus concerning values, purposes, and loyalties.... That is, one can be content with 'giving the facts' where there are generally accepted rules for interpreting the facts and an agreed set of political values and purposes. Today no accepted system or interpretation exists and political values and purposes are very much in contention."[71]

The major proposal for reform has been more of a suggestion that the news media in a democratic society possess a <u>responsibility</u> to present a meaningful account of the day's events, with more background, interpretation, analysis and context provided to help the citizen make sense of trends, events and discoveries.[72] The press, public and government together should make efforts to keep the channels of communication open and restore competition <u>of ideas</u> to the shrinking marketplace. While the rhetoric promoting a 'social responsibility' to the community has proven persuasive to many in journalism[73]--and recent years have seen the formation of a national news council and a few regional or local press councils, the appointment of news ombudsmen by many newspapers and broadcast stations, more self-criticism in the press and in professional reviews and journals, and a renewed interest in ethical codes

for various branches of journalism--it might be argued that the practice of reporting has changed very little; the libertarian tradition still predominates, as the news media's defense of terrorism coverage demonstrates.

This has a number of implications for the ethical problem involved in reporting terrorism. The coverage of terrorism requires that moral judgments be made, and the libertarian tradition as it has been understood by journalists militates against judgments of any kind. Outwardly, the news media attempt to collect all information available and relay it to their audiences as swiftly as possible, without bias, embellishment, or fear of the consequences--for either the journalist or the audience--of publishing the news. As a widely used reporting textbook advises, the effect of publishing the news is not the reporter's concern: "He does not ask himself what the potential use or effect of his information will be or how many 'gatekeepers' will handle it; rather, his sole duty is to concentrate on discovering the truth."[74]

This non-judgmental posture extends to the news media's definition of terrorism itself. Ralph Otwell, editor of the Chicago Sun-Times, was asked last year if the press should not make a distinction between a terrorist act (such as the Hanafi incident) and civil disobedience (such as a civil rights march, which is likely to be more passive, non-violent and morally less offensive in nature), and cover the respective events with this distinction in mind. Otwell replied: "...But once we start making judgments of this sort--as to what constitutes terrorism....and what is an outgrowth of genuine grievances requiring the widest possible dissemination, I think the media is (sic) going too far and doing something far different from its basic role of simply informing."[75]

This reluctance to apply standards of judgment is what Dennis Chase refers to as journalism's "aphilosophical attitude": an unwillingness to consider crucial philosophical questions relating to journalists' functions and purposes in the democratic order, and definitions of such fundamental concepts as 'news'

itself.[76] The lasting significance of the event is not recognized as a matter of concern to the journalist; his job is to report the facts. How else can one explain the selection of the Kiritsis melodrama as the second (Associated Press) or third (United Press International) "most significant and interesting Indiana news story of the year" by Indiana daily newspaper editors?[77] Because of this aphilosophical attitude, Chase argues, journalists fall prey to pragmatism, subjectivism or whatever else is current in the socity at the moment. In the absence of a deeper philosophical sense of journalism's role and purpose, 'situation ethics' dominate; instinct substitutes for analysis, and a curious nihilism results. This nihilism lies at the base of criticism of the media's reporting of terrorism, according to a British journalist:

> "The question for the media is: Can we afford to stand back in an attempt to be disinterested, in the best sense? Or should we allow ourselves to be used, as in authoritarian countries, in the interests of a cause? Can the press identify with values?
> "The trouble with high values is that you cannot defend them if you do not already possess them."[78]

However, the aphilosophical argument--and the news media's libertarian defense--obscure the fact that nature of news coverage is not determined solely by philosophical principles. More influential are economic and organizational constraints internal to the news industry on one level, and the specific news agency on the other. These constraints often work in opposition to the libertarian tradition. At a simplified level, an individual reporter who might refrain from covering a particular story in a terrorist situation for ethical reasons will recognize that rewards and sanctions within his organization are determined more by staffers' conformity, or non-conformity, to newsroom policies than philosophical principles. Edward Jay Epstein says that in network news departments, "it is usually not necessary to control

newsmen through tight editorial and writing supervision: the networks' policies of recruitment and advancement assure that only newsmen that give precedence to organizational over personal values will succeed in network news."[79] For the most part, this is not a coercive process; sociologist Warren Breed found in a study of newspaper staffers that they conform to newsroom policy on certain stories not so much out of a fear of sanctions, such as being fired, but in response to subtle factors of a positive nature that encourage conformity: the socialization process of the newsroom, the newsmen's mobility aspirations, and their esteem for their superiors in the organization, among others.[80]

A consequence is that emphasis is placed upon producing news, a collectivized, institutional activity that also happens to be highly enjoyable. Defiance of newsroom policy for individualistic or ethical reasons often is sacrificed by the journalist himself, and this influences his ethical potential:

> "A consequence of this focus on news as a central value is the shelving of a strong interest in objectivity at the point of policy conflict. Instead of mobilizing their efforts to establish objectivity over policy as the criterion for performance, their energies are channelled into getting more news....Newsmen do talk about ethics, objectivity, and the relative worth of various papers, but not when there is news to get....They are not rewarded for analyzing the social structure, but for getting news. It would seem that this instrumental orientation diminishes their moral potential."[81]

This process of producing news necessarily involves complex judgments regarding the selection and presentation of material--notwithstanding the protestations of news industry spokesmen to the contrary. These judgments also involve journalists as active agents in the manufacture of news--not as passive recipients waiting patiently in newsrooms for events to occur.[82] When faced with unexpected and unfamiliar events, journalists apply pre-existing

categories to make sense of them and make them consonant with what has gone before. The essence of this selection, or editing, process is to link events, looking for points of correspondence and local, national and international significance in these events. Epstein notes, for example, how network news executives "tended to view most happenings not as isolated incidents, but as threads of more general themes in the fabric of society as a whole. A dramatic event, though limited in time and location is thus commonly presumed to be an indicator of a national trend or illustration of a national malaise."[83] In this way terrorism in West Germany or Washington becomes terrorism in Indianapolis or Fernwood, Ohio. Though there would seem to be vast differences in the magnitude of the threat posed to the social order by, say, the Baader-Meinhof style of terrorism in Europe, the Hanafis in Washington, and Tony Kiritsis, these differences become blurred and indistinct because the coverage of these events is the product of organizational values primarily and not social or ethical imperatives.

The significance is that recent terrorism in America has not been aimed directly at the community and its values. But the question must be posed as to how the news media will react if the next wave of terrorism resembles the European or South American styles, with their more explicit political connotations. The problem lies in journalism's moral neutrality, which prohibits the development of an ethic oriented toward the maintenance of the community, its standards, values and culture. Traditions that prescribe an inflexible 'watchdog' role for the press, or emphasize the publication of terrorist rhetoric when the community itself feels intimidated, appear self-defeating. Clearly judgments must be made by journalists that differentiate between the wars of ideas fought within the legitimated institutions of the community,

and struggles fought outside these institutions and which rely upon violence rather than verbiage, intimidation instead of intellect. As one journalist argues: "When hate propagandists and apostles or violence attack the democratic body politick, the journalist must be more than a passive channel of communication. He has got to be a crusader for a climate of reason in which ordered liberty and due process can work."[84]

The irony is that journalistic traditions that lead to an exaggeration of terrorism's significance, and suggest an incongruence between the news media's interests and those of other elements of the community, play into the hands of those who see terrorism as a suitable cause for restricting the news media's liberties. Indiscrete handling of the terrorist story contributes to a climate of fear, as the federal Task Force on Disorders and Terrorism noted, and this could lead to increased pressure upon the press:

> "There are other important reasons for insisting upon definitional clarity. Terrorism is an attention-getting word. Casual or imprecise use of the term engenders a climate of fear and uncertainty that can spread further afield through the popular media. Eventually, a mystique is built up that allows for a reduction of actual violence while fear itself is increased, and the mere threat suffices to achieve the terroristic objective....In this way, the notion of terrorism is propagated, the fear of victimization increases in the community, and a false dimension of the problem is created."[85]

The conclusion is paradoxical. News media coverage of terrorism suggests a moral, not a legal question. But the greater the collaboration between journalists and terrorists, the greater will grow community fears and calls for legal restraints that will intrude upon what journalists regard as their libertarian tradition. Only by forsaking this tradition, in developing a new ethical posture that will voluntarily control and intellectually regulate the instrumentality, can journalism preserve itself.

End

FOOTNOTES

1) For a description of the Associated Press's coverage of the Kiritsis case and its handling of the immunity offer, see a videotape recording of a panel discussion on the Kiritsis kidnapping held at the Indiana University School of Journalism on February 27, 1977, and sponsored by the I.U. chapter of the Society of Professional Journalists, Sigma Delta Chi. The recording, hereafter referred to as the Bloomington panel, is on deposit at the Foellinger Learning Laboratory, I.U. School of Journalism, Bloomington, Indiana.

2) Philip J. Trounstine, "Indiana Kidnapper Directs Live Newscasts with Shotgun," MORE magazine, June 1977, pp. 14-16.

3) Bruce D. Johnson, "The Effect of Electronic News Gathering on Television News in Minneapolis/Saint Paul from December 1974 through April 1976," a paper presented to the Radio-TV Division of the Association for Education in Journalism, Madison, Wis., August 1977. A copy of the paper is on deposit at the Journalism Library, I.U. School of Journalism.

4) For a more detailed description of this incident, see a videotape recording of Robert Faw's speech to a conference on "West Germany and the United States: A Systems Comparison Analysis," held at Indiana University, April 1977. Faw concluded: "And at that point the new technology had risen to its highest form, some would argue....But there's absolutely no journalism that takes place in a situation like that. The reporter becomes a game show host, just occasionally putting questions in to keep it moving. My point is that if that's what we've come to, perhaps we're better off without the new technology." The recording is on deposit at the Foellinger Learning Laboratory, I.U. School of Journalism.

5) Perhaps it is fortunate that Kiritsis surrendered before the story reached him through the news media. Dr. Dwight Schuster, a neuropsychiatrist who advised police authorities during the incident, said under cross-examination in the preliminary hearings of the Kiritsis case:

Question: Now what would have been the effect on the defendant in your opinion if you had told him or if he had been told that the State did not intend to honor his promise of immunity? Would that have prompted another crisis?

Schuster: I believe it certainly would have brought forth quite an outburst.

Question: So any person who knew this was a rude (ruse) would be playing with fire, if he disclosed it, wouldn't he?

Schuster: Certainly a risk.

State of Indiana vs. Anthony G. Kiritsis, CR77-44A, preliminary hearings, p.00092.

6) Trounstine, MORE, p. 15.

7) Walter Laqueur, "The Futility of Terrorism," Harper's March 1976, p. 103.

8) National Advisory Committee on Criminal Justice Standards and Goals, Disorders and Terrorism: Report of the Task Force on Disorders and Terrorism (Washington, D.C.: Law Enforcement Assistance Administration, 1976) p. 1. (Hereafter referred to as Report of the Task Force on Disorders and Terrorism)

9) George Gallup, "Citizens split over coverage of terrorists," Louisville Courier-Journal, April 28, 1977, p.A8, col. 1.

10) A well-publicized exception to this was the statement by Andrew Young, U.S. Ambassador to the United Nations, to the effect that the U.S. Supreme Court should "clarify" the meaning of the First Amendment "in light of the power of the mass media" (New York Times, March 15, 1977, p.16, col. 4). Later, when asked by a reporter for a news industry trade publication to explain his remark, Young said: "We have got to hold the visual press responsible and the press must hold itself responsible....Now the media is (sic) a business and it needs regulation to prevent it from taking advantage of the weaknesses of the American public. Coverage of the Hanafi incident reached an incredible low in journalism." (Jack Barnes, "Young assails tv's coverage of incidents," Editor & Publisher, April 9, 1977, p. 15.)

11) "Penthouse Interview: Dr. Frederick J. Hacker," Penthouse, November 1977, p. 141.

12) Walter Laqueur, "The Continuing Failure of Terrorism," Harper's, November 1976, p. 70.

13) Walter Laqueur, "The Continuing Failure of Terrorism," p.69.

14) Walter Laqueur, "The Futility of Terrorism," p.99.

15) As quoted in the Report of the Task Force on Disorders and Terrorism, p.39.

16) Patrick Murphy, president of The Police Foundation; quoted in The Media and Terrorism, a report of a seminar sponsored by the Chicago Sun-Times and Chicago Daily News (Chicago: Field Enterprises, 1977) p.11. (Hereafter referred to as The Media and Terrorism) It should, however, be noted that other experts on terrorism disagree with Murphy's point. Marvin Leibstone, senior analyst for Science Applications, Inc., of Washington, D.C., argues that media attention fulfills terrorists' need "for achievement and power. They begin to feel good about themselves and much of their hostility floats away. However, if terrorists are denied media coverage, their hostility may be directed toward their hostages." See Marvin Leibstone, "Rules of terrorism for the victim, terrorist and media," Louisville Courier-Journal, April 17, 1977, p.D3, col. 1.

17) From a speech by Dr. David Hubbard at a workshop on "Terrorist and Hostage Coverage" at the 1977 convention of the Radio Television News Directors Association in San Francisco, California. An audio tape recording of the workshop, including Hubbard's speech, is on deposit in the Foelling Learning Laboratory, I.U. School of Journalism. (Hereafter the recording is referred to as the RTNDA workshop recording.)

18) Dr. David Hubbard, RTNDA workshop recording.

19) Charles Fenyvasi, editor, National Jewish Monthly; quoted in the Media and Terrorism, p. 28.

20) Ed Diamond, "Feedback....," RTNDA Communicator, April 1977, p. 13.

21) "TV Newsmen Split on Air Time for Terrorists," MORE, June 1977, p. 20.

22) Dr. David Hubbard, RTNDA workshop recording.

23) "In other areas, such as Watergate or Bert Lance....the news media can smell conflict of interest through multiple layers of official denial as well as through a White House stonewall. These same newshawks, however, seem to be oblivious to the clear financial gain of a newspaper or television (station) in the behavior of reporters at the crisis scene," Dr. Hubbard said. See RTNDA workshop recording.

24) Charles Fenyvasi, The Media and Terrorism, p. 28.

25) Jerry L. Scott, "Profile of Terror: How Medium Market TV Covered the Story," RTNDA Communicator, July 1977, p.4.

26) "Taking terror's measure," Columbia Journalism Review, May/June 1977, p.6.

27) A tape recording of the newscast was introduced as evidence into the Kiritsis trial. See State of Indiana vs. Anthony G. Kiritsis, CR77-44A.

28) "He believed police, says man who held hostage," Louisville Courier-Journal, Feb. 18, 1977, p.B1, col. 1.

29) Cross-examination of Eugene Gallagher, Indianapolis chief of police, State of Indiana vs. Anthony G. Kiritsis, CR77-44A, preliminary hearings, p.00137.

30) Cherif Bassiouni, professor of law, DePaul University, and Patrick Murphy in The Media and Terrorism, pages 8, 11.

31) "Crisis Cop Raps Media," MORE, June 1977, p. 19.

32) James Rochford, superintendent, Chicago Police Department; quoted in The Media and Terrorism, p. 23.

33) "Debate on coverage of terrorism comes up with few solutions," RTNDA Communicator, April 1977, p. 12.

34) "Crisis Cop Raps Media," MORE, June 1977, p.21.

35) Report of the Task Force on Disorders and Terrorism, p.39.

36) Report of the Task Force on Disorders and Terrorism, p.236.

37) For example, Maurice J. Cullinane, the Washington, D.C. police chief, prepared this package for consideration by that area's media representatives. At future terrorist incidents, a "broadcast area' would be established near police lines from which bulletins and interviews could be broadcast. A separate briefing area also would be set up for disseminating off-the-record information, with no cameras or recording devices permitted here. A police press secretary would be available to give periodic briefings. In some cases, a media pool representative would be permitted into negotiations so he might brief other reporters. Finally, a police hotline would be installed and updated continually during the incident.

In return, Cullinane asks that the news media: confine reports and broadcasts to facts that the police have released regarding ongoing events; avoid telephoning hostage-takers; use only long camera shots of the scene of the incident; avoid broadcasting or printing "how to" information on the terrorists' activities, and if there is a bombing connected with the terrorist incident, avoid identifying the group claiming responsibility. Louise Sweeney, "Police, media and terrorism," Christian Science Monitor, Dec. 5, 1977, p.46, col. 1.

38) Report of the Task Force on Disorders and Terrorism, pp. 387-90.

39) Report of the Task Force on Disorders and Terrorism, p.66.

40) Charles Fenyvasi, The Media and Terrorism, p.30.

41) See, for example, Thomas I. Emerson, "Colonial Intentions and Current Realities of the First Amendment," University of Pennsylvania Law Review, Vol. 125, 1977, pp. 737-60.

42) Anthony Lewis, "'Cantankerous, Obstinate, Ubiquitous': The Press," Nieman Reports, Spring 1976, pages 7, 9.

43) Ralph Otwell, The Media and Terrorism, p.24.

44) "Terrorism and Fit News," (editorial), New York Times, March 15, 1977, p.36, col. 1.

45) "TV Newsmen Split on Air Times for Terrorists," MORE, June 1977, p.20.

46) Leonard Downie Jr., The Media and Terrorism, p.22.

47) Richard Salant, RTNDA workshop recording.

48) Neil Hickey, "Terrorism and television: the medium in the middle," TV Guide, Aug. 7, 1976, p.12.

49) Neil Hickey, TV Guide, p.12.

50) Neil Hickey, TV Guide, p.12.

51) For a recent discussion of changes in the economic structure of the news media, see Donald McDonald, "The Media's Conflict of Interest," The Center Magazine (Center for the Study of Democratic Institutions), November/December 1976, pp. 15-35.

52) David Shaw, "Editors Face Terrorist Demand Dilemma," Los Angeles Times, Sept. 15, 1976, p. 14, col. 1.

53) Ernie Schultz, "censorship is no solution to coverage of terrorist-hostage situations," RTNDA Communicator, July 1977, p.7.

54) Richard Salant, RTNDA workshop recording.

55) Ralph Otwell, speech to the national convention of the Society of professional Journalists, Sigma Delta Chi in Detroit, Mich., November 1977. An audio tape recording of a panel discussion on the news media and terrorism, which includes Otwell's speech, is on deposit in the Journalism Library, I.U. School of Journalism.

56) "TV Newsmen Split on Air Time for Terrorists," MORE, June 1977, p.20.

57) Bob Gamble (WRTV, Indianapolis), RTNDA workshop recording.

58) Steven Yount, "Feedback....," RTNDA Communicator, April 1977, p. 13.

59) Fred Heckman, RTNDA workshop recording.

60) Steven Yount, Society of Professional Journalists, Sigma Delta Chi, panel discussion recording (Detroit convention).

61) National News Council Report, "Statement on terrorism and the media," Columbia Journalism Review, May/June 1977, p. 81.

62) William Small, The Media and Terrorism, p. 16.

63) Norval Morris, the Media and Terrorism, p. 34.

64) These are the guidelines developed by CBS News:

(1) An essential component of the story is the demand of the terrorist/kidnapper and we must report these demands. But we should avoid providing an excessive platform for the terrorist/kidnapper. Thus, unless such demands are succinctly stated and free of rhetoric and propganda, it may be better to paraphrase the demands instead of presenting them directly through the voice or picture of the terrorist/kidnapper.

(2) Except in the most compelling circumstances, and then only with the approval of the President of CBS News, or in his absence, the Senior Vice President of News, there should be no live coverage of the terrorist/kidnapper since we may fall into the trap of providing an unedited platform for him. (This does not limit live on-the-spot reporting by CBS News reporters, but care should be exercised to assure restraint and context.)

(3) News personnel should be mindful of the probable need by the authorities who are dealing with the terrorist for communication by telephone and hence should endeavor to ascertain, wherever feasible, whether our own use of such lines would be likely to interfere with the authorities' communications.

(4) Responsible CBS News representatives should endeavor to contact experts dealing with the hostage situation to determine whether they have any guidance on such questions as phraseology to be avoided, what kinds of questions or reports might tend to exacerbate the situation, etc. Any such recommendations by established authorities on the scene should be carefully considered as guidance (but not as instructions) by CBS News personnel.

(5) Local authorities should also be given the name or names of CBS personnel whom they can contact should they have further guidance or wish to deal with such delicate questions as a newsman's call to the terrorists or other matters which might interfere with authorities dealing with the terrorists.

(6) Guidelines affecting our coverage of civil disturbances are also applicable here, especially those which relate to avoiding the use of inflammatory catchwords or phrases, the reporting of rumors, etc. As in the case of policy dealing with civil disturbances, in dealing with a hostage story reporters should obey all police instructions but report immediately to their superiors any such instructions that seem to be intended to manage or suppress the news.

(7) Coverage of this kind of story should be in such overall balance as to length, that it does not unduly crowd out other important news of the hour/day.

65) Darrell Christian, Society of Professional Journalists, Sigma Delta Chi, videotape recording (Bloomington panel).

66) Halina J. Czerniejewski, "Guidelines For the Coverage of Terrorism," Quill, July/August 1977, p.23.

67) William Small, The Media and Terrorism, p.14.

68) Ernie Schultz, "Censorship is no solution to coverage of terrorist-hostage situations," p.7.

69) Some claim, for example, that the commercial basis of the news industry overrides its democratic considerations. Raymond Williams argues that where communication's freedom depends upon a market economy--"Anything can be said, provided that you can afford to say it and that you can say it profitably"--it often is the case that the contributor (journalist) is neither free nor responsible: "neither doing what he would independently have done, nor answerable to public criticism for what he has actually done." Williams, Communications, 2nd ed. (Harmondsworth, England: Penguin, 1966) pp.118-23.

70) James W. Carey, "The Communications Revolution and the Professional Communicator," in The Sociology of Mass Media Communicators, The Sociological Review: Monograph No. 13, 1969, pp. 32-33.

71) Carey, "The Communications Revolution and the Professional Communicator," p.35.

72) For the two major statements on the social responsibility of the press, see Commission on Freedom of the Press, A Free and Responsible Press (Chicago: University of Chicago Press, 1947) and Fred S. Siebert, Theodore Peterson and Wilbur Schramm, Four Theories of the Press (Urbana: University of Illinois Press, 1956).

73) For a description of how working journalists respond to the social responsibility suggestion, see Chapter Seven, "Definitions of Journalistic Responsibility" in John W.C. Johnstone, Edward J. Slawski and William W. Bowman, The News People (Urbana: University of Illinois Press, 1976).

74) Curtis D. Mac Dougall, Interpretative Reporting 7th ed. (New York: Macmillan, 1977), p.11.

75) Ralph Otwell, Society of Professional Journalists, Sigma Delta Chi, panel discussion recording (Detroit convention).

76) Dennis Chase, "The Aphilosophy of Journalism," Quill, September 1971, pp. 15-17.

77) "Indiana '77: a year of cold and crime," Bloomington (Indiana) Sunday Herald-Times, Jan. 1, 1978, p.37, col. 1

78) Peter Harland, "Terror and the press" Politics and greed: when lives are at stake where is the difference?" IPI report (Monthly bulletin of the International Press Institute), November 1977, p.7.

79) Edward Jay Epstein, Between Fact and Fiction: The Problem of Journalism (New York: Vintage Books, 1975) p.201.

80) Warren Breed, "Social Control in the News Room," in Journalism, Allen Kirschner and Linda Kirschner, eds. (New York: Odyssey, (1971) pp.64-67.

81) Breed, "Social Control in the News Room," p.67.

82) Stanley Cohen and Jock Young, The Manufacture of News (Beverly Hills: Sage, 1973) p.18.

83) Edward Jay Epstein, News From Nowhere: Television and the News (New York: Vintage Books, 1973) p.228.

84) Eugene H. Methvin, "Objectivity and the Tactics of Terrorists," in Ethics and the Press: Readings in Mass Media Morality, John C. Merrill and Ralph D. Barney, eds. (New York: Hastings House, 1975) p.201.

85) Report of the Task Force on Disorders and Terrorism, p.4.